IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIFTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO**

**WRIT PETITION No. 8534 of 2000**

Between:

1. Bharath Singh S/o. late Sadu Singh
   R/o.16-6-699/1/A, Chaderghat, Hyderabad.
2. Munnai Bai W/o. late Kumbbba Karan
   R/o.16-6-699/1/C, Chaderghat, Hyderabad.

**..... PETITIONERS**

AND

1. The Government of Andhra Pradesh,

Rep. by its Principal Secretary,

Municipal Administration & Urban Development
Secretariat, Hyderabad.

2. The Collector & District Magistrate Hyderabad District,
   Hyderabad.
3. The Hyderabad Urban Development Authority,

Rep. by its Vice Chairman & Managing Director
Secunderabad.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of MANDAMUS declaring the action of the respondents in initiating action in demolishing the petitioners houses as illegal, arbitrary and violation of Article 300-A &

Article 21 of Constitution of India, and consequently direct the respondents not to take any action including or demolish or eviction of the petitioners from their houses till the disposal of the writ petition

**Counsel for the Petitioner:MR.G.RAVI MOHAN**

**Counsel for the Respondent No.: GP FOR MUNCIPAL ADMN. & URBAN DEV.**

**The Court made the following :**

ORDER:

The case of the first petitioner is that he is owner of the H.No. 16-6-699/1/A in Sy.No. 112/1, Chaderghat, Hyderabad, over an area of 200 Sq. yards. Likewise, the 2nd petitioner is also owner of H. No.16-6-699/1/C in the same Sy. No. While so, the 2nd respondent and the Revenue Officials entered into the premises of the first petitioners on 12.12.1999 and under the cover of inspection, they intended to demolish the same. The petitioner made representation along with others, but to no avail. The respondent again visited on 29.12.1999 and demarcated the wall of the petitioner, intending to demolish the same, without there being any notice. Therefore, the petitioner came up with the present writ petition.

Though Rule Nisi was issued as long back as on 9.5.2000, the respondent did not chose to file counter affidavit.

While issuing rule nisi, this courts ordered stay of demolition without following due process of law.

Since no counter is filed, I am of the considered view that the writ petition can be disposed of making the interim direction as the final order in this writ petition. The writ petition is accordingly disposed of making the interim direction as the final order in the writ petition. No order as to costs.

Elipe Dharma Rao, J.

July 15, 2005

To

1. The Principal Secretary,

Government of Andhra Pradesh,

Municipal Administration & Urban Development
Secretariat, Hyderabad.

2. The Collector & District Magistrate Hyderabad District,
Hyderabad.

3. The Vice Chairman & Managing Director,

Hyderabad Urban Development Authority,

Secunderabad.

4. Two CCs to Govt. Pleader for Municipal Administration and

Urban Development, High Court Huildings, Hyderabad.

5. 2 CD copies

*Form-NIC-OGS/WP{**ESWAR**}*